

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/553,064  
 Confirmation No.: 4276  
 Filed: October 12, 2005  
 Inventor(s):  
 Ueno et al.

Title: PROBE

§ Examiner: Unknown  
 § Art Unit: Unknown  
 § Atty. Dkt. No: 5682-00800  
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| <p align="center">CERTIFICATE OF MAILING<br/>         UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <i>August 8, 2006</i></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:<br/>         Commissioner for Patents<br/>         Alexandria, VA 22313-1450</p> <p align="center"><i>Jeaneaux Jordon</i><br/>         Jeaneaux Jordon</p> |
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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
 MAILED JUNE 8, 2006**

**MAIL STOP PCT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicant encloses the following in response to the Notification of Missing Requirements of Nonprovisional Application:

- (1) Copy of Notification of Missing Requirements (2 pages);
- (2) Originally executed Declaration (3 pages);
- (3) Form PTO-1595 Assignment Recordation Cover Sheet (1 page);
- (4) Copy of originally executed Assignment (3 pages);
- (5) Originally executed Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney (2 pages);

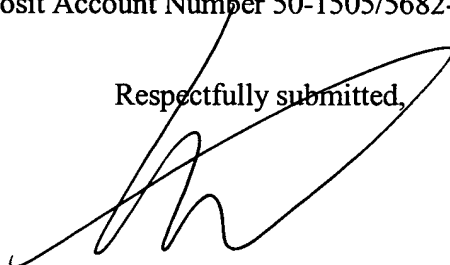
08/16/2006 HKAYPAGH 00000118 501505 10553064

01 FC:1617 130.00 DA

- (6) Fee Authorization in the amount of \$170.00 to cover the filing fee for a small entity as follows (2 pages):
- \$ 130.00 -- surcharge for late filing of declaration;
  - \$ 40.00 -- assignment recordation fee; and
- (7) A return postcard.

If any extension of time is required, Applicant hereby respectfully requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5682-00800/EBM.

Respectfully submitted,



Eric B. Meyertons  
Reg. No. 34,876

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice) (512) 853-8801 (facsimile)  
Date: 8-8-06



## UNITED STATES PATENT AND TRADEMARK OFFICE

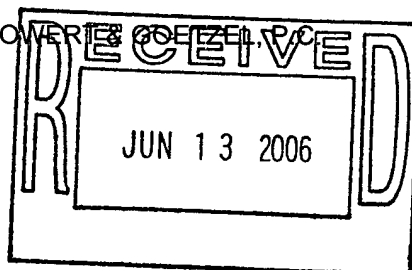
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/553,064                  | Tetsuji Ueno          | 5682-00800       |

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/JP04/05269                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 04/13/2004                    | 04/14/2003    |

35690

MEYERTONS, HOOD, KIVLIN, KOWERT & COZZEL, P.C.  
700 LAVACA, SUITE 800  
AUSTIN, TX 78701



CONFIRMATION NO. 4276

371 FORMALITIES LETTER



\*OC000000019176499\*

Date Mailed: 06/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2005
- English Translation of the IA filed on 10/12/2005
- Copy of the International Search Report filed on 10/12/2005
- U.S. Basic National Fees filed on 10/12/2005
- Priority Documents filed on 10/12/2005
- Specification filed on 10/12/2005
- Claims filed on 10/12/2005
- Abstracts filed on 10/12/2005
- Drawings filed on 10/12/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

Atty Dkt#: \_\_\_\_\_ Atty: \_\_\_\_\_  
Transferred ☐ Due Date: 8/8/06  
Action: 30 Day ☐ 1Mo. ☐ 2 Mo. ☒  
3 Mo. ☐ Final Action ☐ Advy Action ☐  
Ntc of Allow ☐ Drawings ☐ Issue Fee ☐  
Other: \_\_\_\_\_  
Docketed: 6/13

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

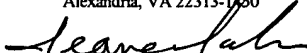
WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/553,064                  | PCT/JP04/05269                | 5682-00800       |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

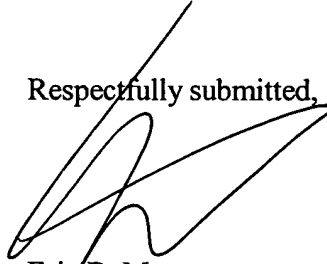
CERTIFICATE OF MAILING  
 UNDER 37 C.F.R. §1.8  
 DATE OF DEPOSIT: *August 8, 2006*  
 I hereby certify that this correspondence is being deposited with  
 the United States Postal Service with sufficient postage as first  
 class mail on the date indicated above and is addressed to:  
 Commissioner for Patents  
 Alexandria, VA 22313-1650  
  
 Jeaneaux Jordon

## 1

Ueno et al.  
10/553,064

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Eric B. Meyertons', written over the text 'Respectfully submitted,'.

Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
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(512) 853-8800 (voice)  
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Date: 8-8-06